

RECEIVED
CENTRAL FAX CENTER
SEP 20 2006

RUTAN & TUCKER, LLP

Attorneys at Law

611 Anton Boulevard, 14th Floor
Costa Mesa California 92626-1931

Mailing Address: Post Office Box 1950, Costa Mesa, California 92628-1950

Telephone: 714.641.5100

Facsimile 714.546.9035

FACSIMILE TRANSMISSION

DATE: **SEPTEMBER 20, 2006**

TO:	Hard Copy to Follow via Mail: NO	
NAME	FAX NO.	PHONE NO.
USPTO Mail Stop: Amendment	571-273-8300	
Group Unit: 3763		

FROM: **Jacquelyn Campbell - 2279**

RE: **U.S. Patent Application No. 10/662744
Hard Tissue Drug Delivery Device & Method
Gin Wu**

CLIENT/MATTER NO.: 021218.0009US2	NUMBER OF PAGES, INCLUDING COVER: 7
--	--

MESSAGE:

Please see the attached Preliminary Amendment. Thank you.
--

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AGENT RESPONSIBLE TO DELIVER THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

If there are problems receiving this Fax Transmittal please call 714.641.5100, Ext. 1235

2279/021218.0009US2-
a60/00/00

Practitioner's Docket No. 021218.0009US2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gin Wu

Application No.: 10/662,744

Group No.: 3763

Filed: 09/15/2003

Examiner: Han, Mark K.

For: HARD TISSUE DRUG DELIVERY DEVICE AND METHOD

RECEIVED
CENTRAL FAX CENTER
SEP 20 2006Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is a small entity. A statement was already filed.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being

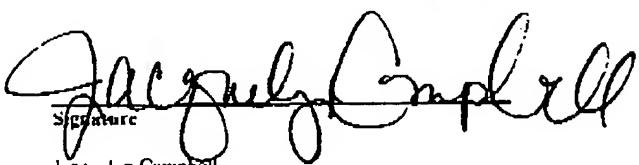
MAILING

C deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)
G with sufficient postage as first class mail37 C.F.R. § 1.10*
G as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

N Facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date: 9/20/06


Signature
Jacquelyn Campbell

(Type or print name of person certifying)

* Only the date of filing ('16) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timelines. See '1.703(j). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

RECEIVED
CENTRAL FAX CENTER
SEP 20 2006

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY					
CLAIMS								
REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA						
TOTAL	8	-	20	=	0	x	\$	25.00
INDEP.	2	-	3	=	0	x	\$	100.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$	0.00	=	\$ 0.00
							TOTAL ADDIT. FEE	\$ 0.00

No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 502191.

If an additional fee for claims is required, charge Account No. 502191.

Date: 9/20/06

16-256
Robert D. Fish
Registration No. 33880
Rutan & Tucker, LLP
611 Anton Blvd., Suite 1400
Costa Mesa, CA 92626
US
714-641-5100
Customer No. 34284

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Appl No.: 10/662744
Applicant: Wu, Gin
Filing Date: Sept. 15, 2003
Art Unit: 3763
Examiner: Han, Mark K
Attorney Docket No.: 021218.0009US2

RECEIVED
CENTRAL FAX CENTER
SEP 20 2006

Title Hard Tissue Drug Delivery Device
And Method

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

Please enter the amendments shown herein.

- Claim amendments begin on page 2.
- Remarks begin on page 3.